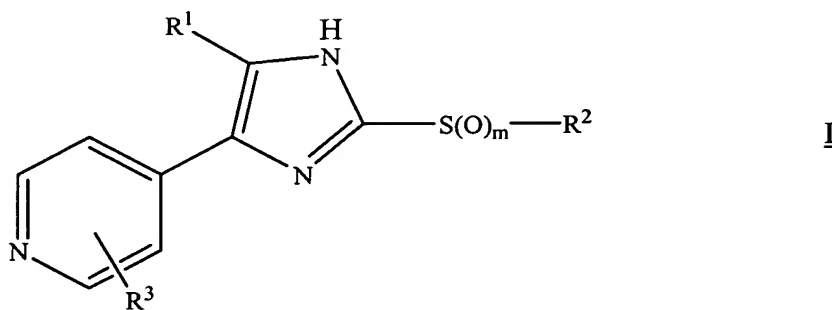


IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A 2-thio-substituted imidazole derivative of the formula I:

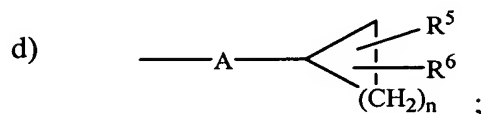
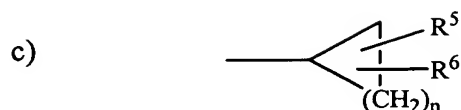


wherein ~~in which~~

$R^1$  is  $C_1$ - $C_6$ -alkyl,  $C_3$ - $C_7$ -cycloalkyl or aryl which is unsubstituted or substituted by a halogen atom, by  $C_1$ - $C_6$ -alkyl or by halo- $C_1$ - $C_6$ -alkyl;

$R^2$  is selected from the group consisting of:

- a) aryl- $C_1$ - $C_4$ -alkyl, where the aryl radical may have one, two or three substituents, independently of one another, selected from the group consisting of  $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy, halogen,  $C_1$ - $C_6$ -alkylsulfanyl,  $C_1$ - $C_6$ -alkylsulfinyl,  $C_1$ - $C_6$ -alkylsulfonyl and hydroxyl, and
- b)  $C_1$ - $C_6$ -alkyl which is unsubstituted or substituted by CN or halogen[[:]],



$R^3$  is selected from the group consisting of:

- a)  $NR^4R^{10}[[;]]_1$
- b)  $NR^7COR^{10}[[;]]_1$
- c)  $NR^7COOR^{10}[[;]]_1$
- d)  $NR^7CONR^7R^{10}[[;]]_1$
- e)  $NR^7CONR^7COR^{10}[[;]]_1$
- f)  $OR^{10}[[;]]_1$
- g)  $S(O)_mR^{10}_1$
- h) halogen $[[;]]_1$
- i)  $OH[[;]]_1$
- j)  $N_3$
- k)  $NH_2$ , and
- l)  $SH[[;]]_1$ , and

wherein ~~where~~  $R^3$  is not OH, halogen,  $C_1$ - $C_6$ -alkylthio or  $C_1$ - $C_6$ -alkoxy, if  $R^2$  is phenyl- $C_1$ - $C_4$ -alkyl $_1$  and the phenyl radical has a  $C_1$ - $C_6$ -alkylsulfanyl,  $C_1$ - $C_6$ -alkylsulfinyl or  $C_1$ - $C_6$ -alkylsulfonyl substituent $[[;]]_1$

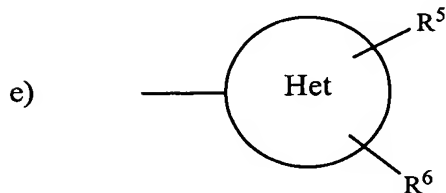
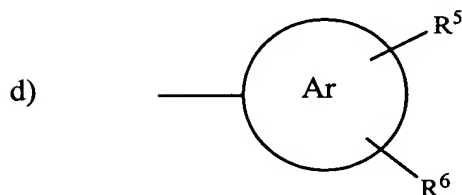
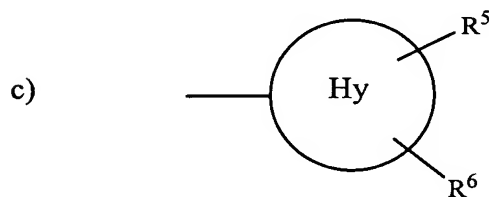
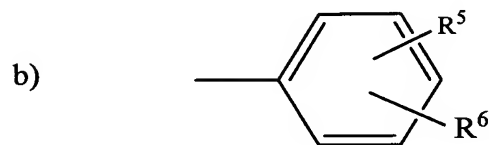
$R^4$  is H or a physiologically cleavable group,

$R^5$  and  $R^6$ , which may be identical or different, are H, halogen, OH,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -alkyl, halo- $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkylsulfanyl,  $NH_2$ ,  $C_1$ - $C_6$ -alkylamino or di- $C_1$ - $C_6$ -alkylamino[[:]],

$R^7$  is  $R^4$ ,  $C_1$ - $C_6$ -alkyl or benzyl[[:]],

$R^{10}$  is selected from the group consisting of ~~has one of the meanings below:~~

a)  $A - B_2$



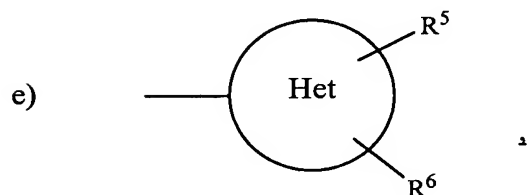
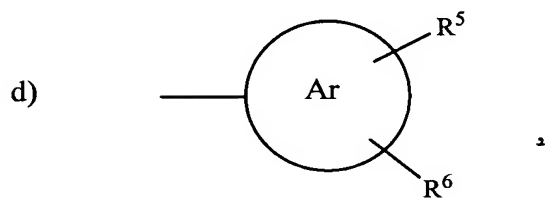
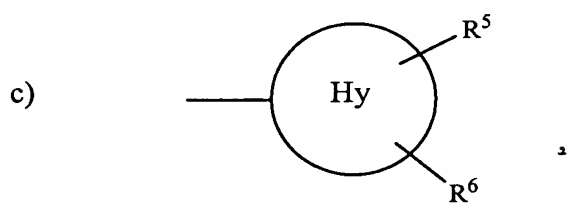
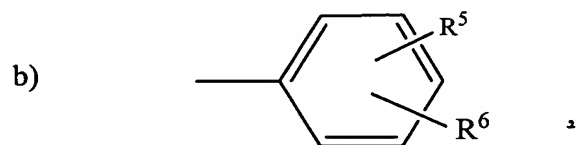
f)  $C_1$ - $C_6$ -alkyl which is substituted by 2 or 3 phenyl groups[[:]], and

g) trifluoromethyl, Trifluoromethyl

A is straight-chain or branched C<sub>1</sub>-C<sub>6</sub>-alkylene, C<sub>2</sub>-C<sub>6</sub>-alkenylene or C<sub>3</sub>-alkynylene[[:]],

B is selected from the group consisting of:

a) H,



f) OC<sub>1</sub>-C<sub>6</sub>-alkyl[[:]],

g) NR<sup>11</sup>R<sup>12</sup>[[:]],

h) OH[[:]],

i) halogen[[:]], and

j) C<sub>1</sub>-C<sub>6</sub>-alkylsulfanyl,

R<sup>11</sup> and R<sup>12</sup>, which may be identical or different, are H, C<sub>1</sub>-C<sub>6</sub>-alkyl or phenyl[[:]].

Hy is a 3- to 10-membered, non-aromatic mono-, bi- or tricyclic carbocycle, which may or may not be fused with a benzene ring[[:]],

Ar is a 5- or 6-membered aromatic heterocycle, which has 1, 2 or 3 hetero-atoms, independently of one another, selected from the group consisting of O, S and N, and which may or may not be fused with a benzene ring[[:]],

Het is a 5- or 6-membered, non-aromatic heterocycle, which has 1, 2 or 3 heteroatoms, independently of one another, selected from the group consisting of O, S and N, which may or may not be fused with a benzene ring, and which may or may not be bridged bicyclically or tricyclically;

m is ~~0-1~~ 0, 1 or 2;

n is 1, 2, 3, 4 or 5;

and the tautomers, optical isomers and physiologically acceptable salts thereof.

Claim 2 (Currently Amended): The imidazole derivative compound as claimed in claim 1 of the formula I, wherein ~~in which~~

R<sup>1</sup> is C<sub>1</sub>-C<sub>6</sub>-alkyl, C<sub>3</sub>-C<sub>7</sub>-cycloalkyl or aryl which may or may not be substituted by a halogen atom;

R<sup>2</sup> is selected from the group consisting of:

a) aryl-C<sub>1</sub>-C<sub>4</sub>-alkyl, where the aryl radical may have one, two or three substituents, independently of one another, selected from the group consisting of C<sub>1</sub>-C<sub>6</sub>-alkyl, C<sub>1</sub>-C<sub>6</sub>-alkoxy, halogen, C<sub>1</sub>-C<sub>6</sub>-alkylsulfanyl, C<sub>1</sub>-C<sub>6</sub>-alkylsulfinyl, C<sub>1</sub>-C<sub>6</sub>-alkylsulfonyl and hydroxyl, ~~and~~

b) C<sub>1</sub>-C<sub>6</sub>-alkyl which may or may not be substituted by CN; and

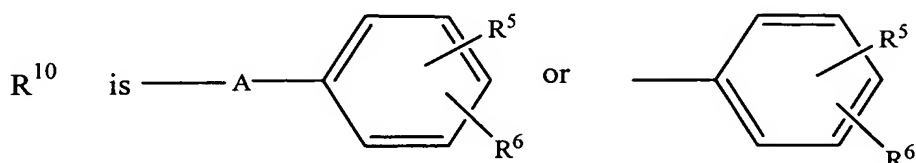
c) C<sub>3</sub>-C<sub>7</sub>-cycloalkyl;

$R^3$  is selected from the group consisting of:

- a)  $NR^4R^{10}$ ,
- b)  ~~$NR^7COR^{10}$~~ ,  $NR^7COR^{10}$ ,
- c) halogen ~~and~~,
- d)  $C_1$ - $C_6$ -alkoxy, and
- e)  $C_1$ - $C_6$ -alkylthio,

where wherein  $R^3$  is not OH, halogen,  $C_1$ - $C_6$ -alkylthio or  $C_1$ - $C_6$ -alkoxy, if  $R^2$  is phenyl- $C_1$ - $C_4$ -alkyl, and the phenyl radical has a  $C_1$ - $C_6$ -alkylsulfanyl,  $C_1$ - $C_6$ -alkylsulfinyl or  $C_1$ - $C_6$ -alkylsulfonyl substituent;

$R^4$  is  $H[[:]]$ ,



or, if  $R^3$  is  ~~$NR^7COR^{10}$~~ ,  $NR^7COR^{10}$ , is  $R^8$ ,

$R^5$  and  $R^6$ , which may be identical or different, are H, halogen, OH,  $C_1$ - $C_6$ -alkoxy,  $C_1$ - $C_6$ -alkyl[[:]],

$R^7$  is H,  $C_1$ - $C_6$ -alkyl or benzyl[[:]],

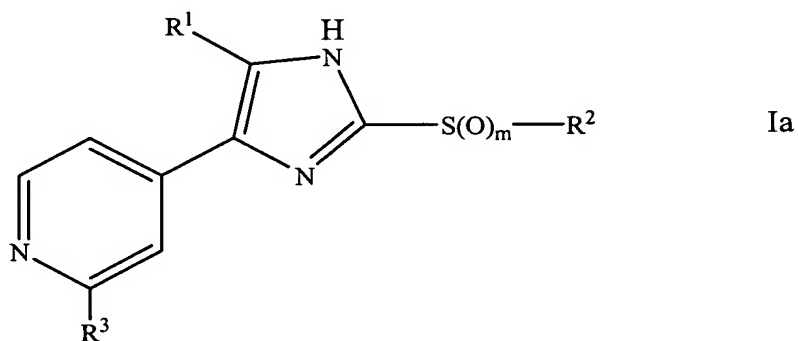
$R^8$  is  $C_1$ - $C_4$ -alkyl,  $C_3$ - $C_6$ -cycloalkyl or phenyl, where the phenyl group may have one or two substituents, independently of one another, selected from the group consisting of  $C_1$ - $C_4$ -alkyl,  $C_1$ - $C_4$ -alkoxy and halogen[[:]],

A is straight-chain or branched C<sub>1</sub>-C<sub>6</sub>-alkylene, C<sub>2</sub>-C<sub>6</sub>-alkenylene or C<sub>3</sub>-alkynylene;  
and

m is ~~0-1~~ 0, 1 or 2

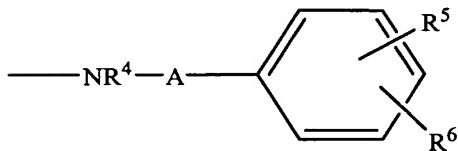
or a tautomer, an optic isomer or a physiologically acceptable salt thereof.

Claim 3 (Currently Amended): The imidazole derivative compound as claimed in claim 1 ~~or 2~~, wherein formula I of the is represented by the structure for formula Ia:



in which R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and m are as defined for the structure of formula I in claim 1.

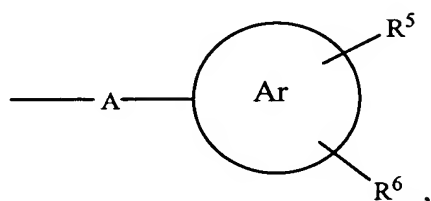
Claim 4 (Currently Amended): The imidazole derivative compound as claimed in claim 1 ~~or 2~~, wherein where R<sup>3</sup> is



where A, R<sup>5</sup> and R<sup>6</sup> are as defined for the structure of formula I in claim 1.

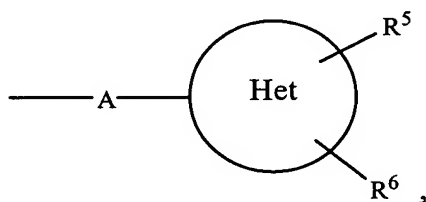
Claim 5 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein, in of the formula I, in which R<sup>10</sup> is selected from the group consisting of one of the radicals below:

a)



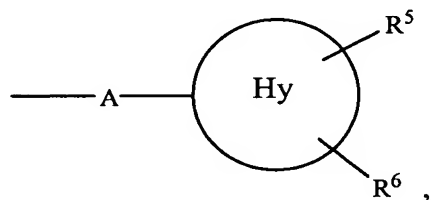
where Ar is a 5- or 6-membered aromatic heterocycle, which has a heteroatom selected from the group consisting of N, O and S; A is C<sub>1</sub>-C<sub>3</sub>-alkylene, and may be substituted by a phenyl radical, and R<sup>5</sup> and R<sup>6</sup> are H;

b)



where Het is a 5- or 6-membered non-aromatic heterocycle, which has an O or N heteroatom; A is C<sub>1</sub>-C<sub>3</sub>-alkylene, and R<sup>5</sup> and R<sup>6</sup> are H;

c)



where A is C<sub>1</sub>-C<sub>6</sub>-alkylene; R<sup>5</sup> and R<sup>6</sup> are H, and Hy is cyclopentyl or cyclohexyl;

d) cyclopentyl or cyclohexyl;



- e) phenyl-C<sub>1</sub>-C<sub>6</sub>-alkyl, where the alkyl radical may have an additional phenyl substituent; and
- f) C<sub>2</sub>-C<sub>6</sub>-alkenyl which is substituted by phenyl.

Claim 6 (Currently Amended): The imidazole derivative compound as claimed in claim 1, ~~wherein, in~~ of the formula I, ~~in which~~ R<sup>3</sup> is A-B, and B is selected from the group consisting of NR<sup>11</sup>R<sup>12</sup>, OC<sub>1</sub>-C<sub>6</sub>-alkyl and OH, and A, R<sup>11</sup> and R<sup>12</sup> are as defined for formula I ~~in claim 1.~~

Claim 7 (Currently Amended): The imidazole derivative compound as claimed in claim 1, ~~wherein, in~~ of the formula I, ~~in which~~ R<sup>3</sup> is NR<sup>7</sup>COR<sup>8</sup>, where R<sup>8</sup> is selected from the group consisting of -O-C<sub>1</sub>-C<sub>4</sub>-alkylphenyl, phenyl and C<sub>2</sub>-C<sub>6</sub>-alkenyl which is substituted by phenyl.

Claim 8 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein ~~any of the preceding claims where~~ A is C<sub>1</sub>-C<sub>2</sub>-alkylene.

Claim 9 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein ~~any of the preceding claims where~~ A is ethylidene.

Claim 10 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein ~~any of the preceding claims where~~ R<sup>5</sup> and R<sup>6</sup> are H.

Claim 11 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein any of the preceding claims where R<sup>1</sup> is halogen-substituted phenyl, CF<sub>3</sub>-substituted phenyl or C<sub>1</sub>-C<sub>6</sub>-alkyl-substituted phenyl.

Claim 12 (Currently Amended): The imidazole derivative compound as claimed in claim 1, wherein any of the preceding claims where R<sup>2</sup> is benzyl or C<sub>1</sub>-C<sub>6</sub>-alkyl.

Claim 13 (Currently Amended): A pharmaceutical composition, comprising the imidazole derivative at least one compound as claimed in claim 1, and if appropriate together with one or more pharmaceutically acceptable carriers and/or additives.

Claim 14 (Canceled)

Claim 15 (Currently Amended): A method for treating disorders associated with a disturbed immune system, which comprises, administering, to a person in need thereof, the imidazole derivative, characterized in that an amount of a compound of the formula I as claimed in claim 1, any of claims 1-12 in an amount sufficient to have immunomodulating action and/or to inhibit the release of cytokine ~~is administered to a person in need of such a treatment.~~